

NATURALIZATION

Convention signed at Tegucigalpa June 23, 1908

Senate advice and consent to ratification December 10, 1908

Ratified by the President of the United States December 26, 1908

Ratified by Honduras April 7, 1909

Ratifications exchanged at Tegucigalpa April 16, 1909

Entered into force April 16, 1909

Proclaimed by the President of the United States June 8, 1909

36 Stat. 2160; Treaty Series 525

The President of the United States of America and the President of the Republic of Honduras, desiring to regulate the citizenship of those persons who emigrate from the United States of America to Honduras, and from Honduras to the United States of America, have resolved to conclude a Convention on this subject; and for that purpose have appointed their Plenipotentiaries, to conclude a Convention, that is to say:

The President of the United States of America, H. Percival Dodge, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Government of Honduras; and

The President of Honduras, Señor Licenciado Marcos Lopez Ponce, Sub-Secretary of Foreign Affairs of the Republic of Honduras;

Who, having examined one another's full powers and having found them in due form, have agreed to and signed the following Articles:

ARTICLE I

Citizens of the United States who may or shall have been naturalized in Honduras, upon their own application or by their own consent, will be considered by the United States as citizens of the Republic of Honduras. Reciprocally, Honduraneans who may or shall have been naturalized in the United States upon their own application or with their own consent, will be considered by the Republic of Honduras as citizens of the United States.

ARTICLE II

If a Honduran, naturalized in the United States of America, renews his residence in Honduras, without intent to return to the United States, he

may be held to have renounced his naturalization in the United States. Reciprocally, if a citizen of the United States, naturalized in Honduras, renews his residence in the United States, without intent to return to Honduras, he may be presumed to have renounced his naturalization in Honduras.

The intent not to return may be held to exist when the person naturalized in the one country, resides more than two years in the other country, but this presumption may be destroyed by evidence to the contrary.

ARTICLE III

It is mutually agreed that the definition of the word "citizen," as used in this Convention, shall be held to mean a person to whom the nationality of the United States or of Honduras attaches.

ARTICLE IV

A recognized citizen of the one party, returning to the territory of the other, remains liable to trial and legal punishment for an action punishable by the laws of his original country and committed before his emigration, but not for the emigration itself, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

ARTICLE V

The declaration of intention to become a citizen of the one or the other country has not for either party the effect of naturalization.

ARTICLE VI

The present Convention shall go into effect immediately on the exchange of ratifications, and in the event of either party giving the other notice of its intention to terminate the Convention it shall continue to be in effect for one year more, to count from the date of such notice.

The present Convention shall be submitted to the approval and ratification of the respective appropriate authorities of each of the Contracting Parties, and the ratifications shall be exchanged at Washington or at Tegucigalpa within twenty-four months of the date hereof.

In witness whereof, the Plenipotentiaries of the United States of America and of Honduras have signed this Convention in duplicate and have affixed hereunto their respective official Seals in the City of Tegucigalpa, on the twenty-third day of June, in the year of Our Lord one thousand nine hundred and eight.

H. PERCIVAL DODGE	[SEAL]
M. LÓPEZ PONCE	[SEAL]